

DEVIN R. GIFFORD, ESQ.  
Nevada State Bar No. 14055  
MATTHEW J. COOK, ESQ.  
Nevada State Bar No. 15028  
JOSEPH ROSKELLEY, ESQ.  
Nevada State Bar No. 15456  
BREMER WHYTE BROWN & O'MEARA LLP  
1160 N. TOWN CENTER DRIVE  
SUITE 250  
LAS VEGAS, NV 89144  
TELEPHONE: (702) 258-6665  
FACSIMILE: (702) 258-6662  
dgifford@bremerwhyte.com  
mcook@bremerwhyte.com  
jroskelley@bremerwhyte.com

Attorneys for Defendant  
Ryder Truck Rental

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

ROBERT E. ATKINSON, TRUSTEE

Plaintiff,

vs.

UNITED STATES OF AMERICA;  
RYDER TRUCK RENTAL, a Florida  
Corporation; UNITED STATES POSTAL  
SERVICE, DOES I through V; and ROE  
BUSINESS ENTITIES I through V,

Defendants.

Case No. 2:24-cv-02141

**Stipulation and Order to Extend  
Discovery Deadlines**

**(Second Request)**

IT IS HEREBY STIPULATED, by and between Plaintiff Robert E. Atkinson, Trustee, ("Plaintiff"), by and through his counsel of record, Robert E. Atkinson, Esq., of Atkinson Law Associates Ltd., Defendants United States of America and United States Postal Service (collectively referred to as "Federal Defendants"), by and through their counsel of record, R. Thomas Colonna, Esq. and Summer A. Johnson, Esq., and Defendant Ryder Truck Rental ("Defendant Ryder"), by and through its counsel of record, Devin R. Gifford, Esq., Matthew J. Cook, Esq., and Joseph J. Roskelley, Esq. of Bremer, Whyte, Brown, & O'Meara LLP, that the deadlines in this matter shall be extended by sixty (60 days). This is the second request for extension and is made prior

1 to the expiration of the earliest deadline to be extended (close of discovery). **The**  
2 **parties have entered into a tentative settlement resolving this entire case, and**  
3 **require additional time to effectuate it, including obtaining Bankruptcy Court**  
4 **approval.**

5 **I. STATEMENT OF DISCOVERY COMPLETED**

6 The parties have completed the following discovery:

7 1. The parties served their initial disclosures and have supplemented the  
8 same. Specifically, Plaintiff supplemented his initial disclosures on or about January  
9 31, 2025, May 2, 2025, May 21, 2025, and June 11, 2025. The Federal Defendants  
10 supplemented their initial disclosures on or about February 21, 2025, March 14, 2025,  
11 and April 28, 2025. Defendant Ryder supplemented its initial disclosures on or about  
12 April 3, 2025, April 23, 2025, and June 6, 2025.

13 2. Plaintiff propounded written discovery on the Federal Defendants and on  
14 Defendant Ryder on March 10, 2025. The Federal Defendants provided their responses  
15 on April 3, 2025 and Defendant Ryder provided its responses on June 3, 2025.

16 3. Federal Defendants propounded written discovery on Plaintiff on January  
17 31, 2025. Plaintiff provided his responses on May 2, 2025 and May 21, 2025.

18 4. Defendant Ryder propounded written discovery on Plaintiff on January  
19 13, 2025, to which Plaintiff responded on January 31, 2025. Defendant Ryder  
20 propounded additional written discovery on Plaintiff on June 13, 2025.

21 5. On March 5, 2025, the depositions of Eric Yohan Rojas Guancha and  
22 Officer James G. Stucki were taken.

23 6. On May 13, 2025, Plaintiff served a list of designated expert witnesses.

24 7. On April 28, 2025, Federal Defendants served their designated Expert  
25 witness, to which Defendant Ryder Joined on May 5, 2025.

26  
27 ///  
28

1     **II. DESCRIPTION OF REMAINING DISCOVERY TO BE**  
 2     **COMPLETED**

3     Defendant Ryder needs to take the depositions of Plaintiff's experts and treating  
 4 physicians. Defendants require additional time to coordinate the setting of the  
 5 depositions. Defendants' expert will require additional time to review the transcripts  
 6 from said depositions to supplement the expert report. The parties reserve the right to  
 7 engage in any other discovery permitted by applicable rules and within the revised  
 8 discovery deadlines if the court approves this stipulation.

9     **III. REASONS WHY DISCOVERY HAS NOT BEEN COMPLETED**  
 10    **WITHIN PRIOR TIME LIMITS AND WHY GOOD CAUSE EXISTS**  
 11    **FOR GRANTING THE EXTENSION**

12     Defendant Ryder needs to take the depositions of Plaintiff's experts and treating  
 13 physicians. Defendants require additional time to coordinate the setting of the  
 14 depositions. Defendants' expert will require additional time to review the transcripts  
 15 from said depositions to supplement the expert report. The parties have been working  
 16 together and diligently pursuing discovery in preparation of their respective cases.

17     The parties are presently attempting to resolve the current dispute and have a  
 18 tentative settlement in place. The extension would allow the parties the time necessary  
 19 to resolve the matter, should they agree, without judicial intervention. This could assist  
 20 in conserving precious judicial resources. There is no prejudice to any party in granting  
 21 this request. Accordingly, this request for extension is not made for the purpose of  
 22 delay and good cause exists to extend the remaining discovery deadlines.

23     **IV. PROPOSED SCHEDULE FOR COMPLETING REMAINING**  
 24     **DISCOVERY**

25     The parties have agreed that, with the Court's approval, the remaining discovery  
 26 deadlines should be extended sixty (60) days. The parties agree to extend the deadlines  
 27 as follows:

28    ///

Scheduled Event	Current Deadlines	Proposed Deadlines
Close of Discovery	July 14, 2025	<b>September 12, 2025</b>
Dispositive Motions	August 12, 2025	<b>October 11, 2025</b>
Proposed Joint Pretrial Order	September 12, 2025	<b>November 11, 2025</b>

DATED this 10<sup>th</sup> day of July, 2025.

**SIGAL CHATTACH**  
United States Attorney

/s/ Summer A. Johnson  
R. Thomas Colonna, Esq.  
Summer A. Johnson, Esq.  
*Attorneys for Federal Defendants*

DATED this 10<sup>th</sup> day of July, 2025.

**BREMER WHYTE BROWN &  
O'MEARA LLP**

/s/ Joseph J. Roskelley  
Devin R. Gifford.  
Nevada Bar No. 14055  
Matthew J. Cook, Esq.  
Nevada Bar No. 15028  
Joseph J. Roskelley, Esq.  
Nevada Bar No. 15456  
*Attorneys for Defendant Ryder Truck  
Rental*

DATED this 10<sup>th</sup> day of July, 2025.

**ATKINSON LAW ASSOCIATES  
LTD.**

/s/ Robert E. Atkinson  
Robert E. Atkinson, Esq.  
Nevada Bar No. 9958  
*Attorney for Robert E. Atkinson,  
Trustee in Nevada Bankruptcy case 23-  
14324*

*Atkinson v. United States of America*  
*United States District Court Case No. 2:24-cv-02141*

**ORDER**

**IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that the following will be the schedule for completing all remaining discovery:

Scheduled Event	Prior Deadlines	New Deadlines
Close of Discovery	July 14, 2025	<b>September 12, 2025</b>
Dispositive Motions	August 12, 2025	<b>October 11, 2025</b>
Proposed Joint Pretrial Order	September 12, 2025	<b>November 11, 2025</b>

IT IS SO ORDERED.

DATED 7-11-25.

  
UNITED STATES MAGISTRATE JUDGE

Respectfully Submitted By:

**BREMER, WHYTE, BROWN & O'MEARA, LLP**

/s/ Joseph J. Roskelley

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